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The Italian Case and the Challenges of Migration Theories through an Analysis of Female Migration

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Abstract

This article argues that female migratory flows in Italy can be considered as a gender-based method of female empowerment and social mobility of women (both within society and the family structure). In Italy, in the last three decades, the migration flow has changed in terms of magnitude, the subjects involved and the migration methods, making the difference between forced and voluntary migration slippery and confused. In spite of the overwhelming presence of women in migration flows, until recently the general assumption drew the international migrants as young, economically motivated men, totally neglecting the role of women. This article argues that by paying attention to the existing relationship between the women's social position and migration we can better understand aspects of the process of migration previously neglected. Moreover, this article aims to bridge the gap between the macro analysis (an almost exclusive focus on the structural causes of migration) and the micro dimension (a focus on the migrant as a rational subject). Finally, it aims to underline how deceptively and confused are the no-natural categorises of regular and irregular migrant. In this context, the article analyses the two main entering channels of female migrations in Italy: a specific aspect of the sex industry, namely trafficking for sexual exploitation, and the private care market.

Keywords: feminisation, female migration, trafficking, care work.

Introduction

Until recently, the migration debate in both political and academic spheres has largely ignored female mobility and the gender dimension of migration. Women have been, for such a long time, the “invisible host” of migration flows and its theories. When, and if considered, women have been forced into inadequate categories, such as followers (second migrants) and

dependents, without self-determination and without any influence on the man's migration project.¹ Indeed, the classical literature on migration largely considers only man as the fundamental key and main protagonist of migration flows.

From the 1970s, females finally entered into the public discourse on migration, due to the increasing interest to women's issues generally (such as their societal roles) and their increasingly evident presence in some specific labour sectors. Furthermore, "feminisation"² eventually gained its own legitimisation inside the migration discourse, being finally recognised as a fundamental and structural aspect of the contemporary migration phenomenon. This is shown by numerous recommendations, international organisation reports, national and international legislation which refer, and are dedicated to, feminisation specific programs and actions.³ However, despite the deserved success reached by the feminisation theory, this paper will discuss some necessary considerations.

Firstly, female migration is not a recent issue. Numerous studies on migration show that women have always been part of this process. Since the beginning of the nineteenth century, females have migrated, often alone, for work reasons, employed especially as nannies and domestic assistants or as victims of forced prostitution. Moreover, United Nations studies on population reveal that by 1960, women represented approximately half of the worldwide migration flows.⁴ Since then, the percentage of females migrating has drastically increased, almost doubling. However, it is important to highlight that this data does not reflect a change in the composition of migration flow, but rather a general increase in the whole number of migrants worldwide, which today is at the highest levels since World War II.⁵ Given the above, we can

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¹ Martina Cvajner, *Sociologia delle migrazioni femminili*, Bologna, Il Mulino, 2018.

² Stephen Castles and Mark J. Miller, *The age of migration: international population movements in the modern world*, London, Palgrave Macmillan, 1993; Maurizio Ambrosini, *Sociologia delle migrazioni*, Il Mulino, Bologna, 2011.

³ Maurizio Ambrosini, *Sociologia ... cit.*

⁴ Martina Cvajner, *Sociologia delle migrazioni femminili*, Bologna, Il Mulino, 2018.

⁵ United Nations, "International Migration Report, 2015 Highlights", United Nations, New York, 2016 available on: http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015_Highlights.pdf (Accessed 5 December 2018).

affirm that the feminisation of migration theory does not represent an empirical discovery itself, but rather an exploration of a topic that has always existed, which has been substantially neglected.

Secondly, the feminisation of the migrant flow can be described as a theory without a real impact. Even if on a theoretical level feminisation has represented a new key and instrument of analysis of migration issues, on empirical and practical levels it does not appear to have had the same effect. Indeed, despite the increasingly academic and mass-media attention migration receives,⁶ there is a lack of effective impact of the feminisation theory on political action and cultural vision on migration.

In fact, today, the mainstream perception of migration remains centred around a stereotypical high gendered and hierarchical vision.⁷ This idea can be expressed as a new train, old binaries. Migrant females still appear in the national and international legislative and juridical discourse as an exception, an exception that should be ruled. The majority of legislative acts explicitly describe women only as weak, vulnerable and helpless subjects seeking assistance. Several researchers, critical legal studies and various feminist theories have shown that an “adult man” is the main actor in migration laws. On this point, the on-going debates surrounding the dichotomies of forced/voluntary migration and smuggling of migrants/trafficking in persons represent a clear example of this gender-based stereotyping and hierarchy of migration.

Therefore, even where a claim for a gendered interpretation of migration issues is undoubtedly valid, the feminisation theory does not yet represent a destination, but rather the starting point. This article aims to provide the first steps in challenging the aforementioned main migration stereotypes.

The authors decided to analyse the Italian context as it represents the perfect case-study. On the one hand it is representative of the European reality in which women's choices and migratory patterns present peculiarities that challenge the traditional models of approach to migratory flows.⁸ On the other hand, it reflects some interesting and typical features, including small space, big problems. The female migratory reality in Italy is significant and important. It affects all the regions, where over various decades it has assumed specific forms and modalities. In Italy, female migrants represent more than half of the total

⁶ Mara Tognetti Bordogna, *Donne e percorsi migratori. Per una sociologia delle migrazioni*, Milano, FrancoAngeli, 2012.

⁷ DG STAT, “La tratta di esseri umani, indagine statistica su un campione rappresentativo di fascicoli definiti con sentenza relativamente ai reati ex art. 600, 601 e 602 del codice penale”, Ministero della Giustizia-Direzione Generale di Statistica e Analisi Organizzativa, settembre 2015, Available on: <https://webstat.giustizia.it/Analisi%20e%20ricerche/Rapporto%20DgStat%20sulla%20tratta%20degli%20esseri%20umani.pdf> (Accessed 5 December 2018).

⁸ Giovanna Vingelli, “Genere e migrazioni” in Elia Fantozzi (ed.), *Tra globale e locale*, Rubbettino, Soveria Mannelli, 2013, pp. 93-105.

migrant population (considering both EU and non-EU proveniences).⁹ These migratory flows represent one of the main reasons why Italy, once a country of emigration, has become a country of international immigration.¹⁰ In Italy women have been, and still are, the truly active protagonist of the migration processes. The most consistent flows date back to the 1970s, where women with their own migratory projects came from the Philippines, Eritrea Somalia and Cape Verde Islands, mainly to work as service women in middle class families in Italian cities. By the end of the 1980s, South American women began to arrive and, after the fall of the Berlin Wall, women from Eastern European countries. These early immigrants have pursued long-term migratory projects, and following their arrival, they have built strong community organizations. The successive migrations, conditioned by new strongly restrictive immigration laws, are generally much more irregular. Women often arrive with a tourist visa lasting only a few months, or through the networks of traffickers, and have become a small army of clandestine workers, weak and strongly blackmailed. This situation challenges not only the empirical reality named before, but also the theoretical migration models until now used. These include the four-phase model of Bohning (1984)¹¹ and the Castles and Miller models (1993),¹² both of which have been criticised for underestimating the role of women in migratory movements. Push and pull factors, which influence women to migrate are different. Nevertheless, this article, through the analysis of the Italian case, argues that the labour market and border policies represent two key factors in understanding females migration worldwide. Indeed, the lack of opportunities on one hand, and the strengthening of migration controls on the other, creates a “labour destiny” for most migrant women. This includes either the private care market, in all its different forms, and/or the sex industry which sails between forced and voluntary migration and might translate itself into trafficking in persons.¹³ As this article will show, the existence of this destiny for migrant women in Italy is evident, making Italy an interesting and appropriate research field. This article aims to analyse the two main entrance channels of female migration in Italy, firstly, a specific aspect of the sex industry, namely, the trafficking for sexual exploitation, and secondly, the private care market. The objective is twofold. Firstly, to reveal through the lens of female migration in Italy, the different stereotypes on migration which persist, to subsequently

⁹ Immigrati.Stat, 2018, available on <http://stra-dati.istat.it/Index.aspx> (Accessed 5 December 2018).

¹⁰ Mara Tognetti Bordogna, *Donne ... cit.*

¹¹ Wiley Bohning, “Studies in International Labour Migration”, MacMillan, London, in Maurizio Ambrosini, *Sociologia ... cit.*, pp. 29-32.

¹² Stephen Castles and Mark J. Miller, *The age of migration: international population movements in the modern world*, London, Palgrave Macmillan, 1993.

¹³ Mara Tognetti Bordogna, *Donne ... cit.*

declare the failure of “migrants categories” until now used, and to unveil their hierarchal and high gender-based construction. Secondly, this paper aims to analyse the changes in terms of structures, subjects and methods etc. of these two female migration flows, by overcoming the dichotomy between the macro (based on structural factors) and the micro (based on individual or household choice) theoretical approaches. Further, this will be achieved by considering migration as a system of complex relationships composed by the origin, receiving and transit societies.

Female Migrants and the Trafficking for Sexual Exploitation

The current changes in migration flows, the huge magnitude of people on the move and the complexity of their biographies show that, the most part of the academic and legal categories, generally used in the sociological and juridical framework (such as economic migrant, refugee, asylum seeker, irregular or regular migrant, victim of human trafficking, clandestine, smuggled...) are no longer able to give account of this heterogeneous migration phenomena, in which forms of coercion and exploitation overlap with voluntary migration choices and with profiles of economical or/and social vulnerabilities. As migration studies show, the dichotomous categorisation between regular and irregular migration is not the result of the “natural”, firm and unchangeable characteristic of migrants, but rather the result of social and political expediency. Indeed, they could always be modified or even overturned by new legal interventions.¹⁴

In Italy today, almost all non-European migration movements occur through irregular entering-channels and are filtered through the procedure for the recognition of international protection. This is due to the fact, that all other means of legally entering the country are de facto closed.¹⁵ In fact, as several authors underline, it is the exacerbation of Italian border-policies, the political security approach of migration issues, and generally, the lack of regular entering channels, whom obligate migrants to use irregular systems. This includes obtaining assistance from traffickers and/or smugglers to cross the European border and fulfil their migration project. Subsequently, confusion and overlap exist between the categories of “trafficking in human being” and “smuggling of migrants”, as defined under the United Nations Convention against

¹⁴ Maurizio Ambrosini, *Sociologia ... cit.*

¹⁵ Enrica Rigo, “Re-gendering the Border: Chronicles of women’s resistance and unexpected alliances from the Mediterranean border” in *ACME an International Journal for Critical Geographies*, 2017.

Transnational Organized Crime and its Protocols.¹⁶ This article argues that female migration for transnational sex, specifically for sexual exploitation, represents the perfect case study in analysing the overlapping and the confusion of the defined categories. Indeed, the biographies of those women show, firstly, the contradictions and the critical aspects of the definition of a human trafficked victim; and secondly, reveal, through the empirical evidence of their personal migration experiences, the non-existent clear line between trafficking of human beings and smuggling of migrants, as defined by Palermo's Protocols. Finally, it will disclose that those categories are not neutral as they appear, but rather are deeply hierarchic, stereotyped and gendered.

The authors chose sexual exploitation over all the others forms of human trafficking for several reasons. Firstly, in Italy sexual exploitation represents one of the most widespread forms of trafficking. Secondly, as 90% of its victims are female, it embodies a highly gendered form of exploitation. Finally, this phenomenon has changed a lot, both structurally (in terms of recruiting, trafficking and exploiting methods) and individually (in terms of the characteristic of its victims). Moreover, this issue discloses how incorrect identification practices and ambiguous classifications could deny human rights. Indeed, females on transnational sex movements easily could be wrongly catalogued due to the complexities of their biographies. Considering that each definition corresponds to a juridical status, being defined as a victim of human trafficking or as a smuggled migrant could make a huge difference. It blurs the line between victims that need protection and criminals who illegally crossed the national borders and for this reason should be deported.¹⁷

In explaining this distinction, the concept of human trafficking must first be understood: Human Trafficking is a complex transnational phenomenon,¹⁸ where protagonists, routes and trafficking manners change constantly. It is deeply influenced by the changing of migration flows and its regulating and controlling policies. Trafficking could be understood, as Baldoni states, only through a lens able to intersect macro-structural factors (such as the contemporary globalization processes, the existent imbalance between north-south and east-west of the world, gender violence, labour market, prostitution, migration policies etc) with personal choice. The size of this phenomenon is alarming. Although data is imprecise because trafficking is an illegal and

¹⁶ United Nations Convention against Transnational Organized Crime and the Protocols Thereto, **Adopted by the UN General Assembly**: 15 November 2000, by resolution 55/25, available on: <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html> (Accessed 5 December 2018).

¹⁷ Simon Plambech, "Between Victims and Criminals: Rescue, Deportation, and Everyday Violence Among Nigerian Migrants", *Social Politics*, vol. 21, no. 3, 2014, pp. 382-402.

¹⁸ Emiliana Baldoni, "Scenari emergenti nella tratta a scopo di sfruttamento sessuale verso l'Italia", *Rev. Inter. Mob. Hum., Brasilia*, Ano XIX, no. 37, 2011, pp. 43-58.

hidden activity and with an ambiguous definition, surveys reveal a worrying picture. In Europe, Human Trafficking for sexual exploitation is, perhaps surprisingly, an internal issue. Indeed, approximately the 70% of its suspected victims are European citizens, mostly coming from Romania, Bulgaria, Poland, Czech Republic, and Slovakia. Meanwhile, the majority of non-European victims come from Nigeria, China, Albania, Vietnam, and Morocco.¹⁹

The data of the Italian situation comes largely from the last report of the Department of Justice²⁰ and of the Anti-Trafficking National Platform,²¹ which reflects the European outcomes. De facto, in Italy, as well as in Europe, the most representative target is the internal one, in which Romanian women are the majority (75%), just followed by the African one, almost entirely represented by Nigerian women.

According to the latest report on Human Trafficking from the U.S. Embassy and Consulates in Italy,²² during the past five years, the estimated number of trafficking victims in Italy increased significantly, due to the continued and significant flow of migrants and asylum-seekers arriving by boat from sub-Saharan Africa. Italy received 181.436 irregular arrivals by sea in 2016. More than half requested asylum, demonstrating possible vulnerability to trafficking. International organizations, such as the International Organization for Migration (IOM) and the Group of Experts on Action against Trafficking in Human Beings of the Council of Europe (Greta) estimated more than 7,500 likely trafficking victims arrived from Nigeria alone in 2016, compared to an estimated 2,800 in 2015. Most rely on smugglers at some point during their journey and in some instances, are subject to human trafficking en-route or upon arrival in Italy.

Internationally, a common definition of Human Trafficking has only recently been reached, with the 2000 approval of the UN Convention Against Transnational Organized Crime, and its additional protocols on trafficking in

¹⁹ Europol Public Information, "Situation Report. Trafficking in human beings in the EU", The Hague, February 2016, available at: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/situational_report_trafficking_in_human_beings-europol.pdf (Accessed 14 December 2018).

²⁰ DG STAT, "La tratta di esseri umani, indagine statistica su un campione rappresentativo di fascicoli definiti con sentenza relativamente ai reati ex art. 600, 601 e 602 del codice penale", Ministero della Giustizia-Direzione Generale di Statistica e Analisi Organizzativa, settembre 2015, available at: <https://webstat.giustizia.it/Analisi%20e%20ricerche/Rapporto%20DgStat%20sulla%20tratta%20degli%20esseri%20umani.pdf> (Accessed 5 December 2018).

²¹ Piattaforma Nazionale Antitratta "prima mappatura nazionale della prostituzione per strada", venerdì 19 maggio 2017, available at: <http://piattaformaantitratta.blogspot.com/2017/05/prima-mappatura-nazionale-della.html> (Accessed 5 December 2018).

²² Department of State-United State of America, "Trafficking in persons report", June 2014, available on: <https://www.state.gov/documents/organization/271339.pdf> (Accessed 5 December 2018).

persons²³ and smuggling of migrants²⁴ often referred to as the Palermo Protocols.²⁵ These conventions draw, for the first time, on widely shared parameters of these phenomena, making clear the differences between them, at least at a theoretical level.²⁶ Like the smuggling of migrants, under international law trafficking in human beings is both a transnational crime and a type of irregular migration. It requires three factors to happen: the action (what is done, i.e. recruitment, transportation, transfer, harbouring or receipt of persons), the method (how it is done, including different forms and degrees of coercion), and the exploitation purpose (why it is done). Unlike smuggling,²⁷ which implies a deliberate action of migrants, who, for money, rely on criminal groups to illegally enter a State, in the Trafficking of Human Beings, the victim's consent is irrelevant if there is coercion identifiable under the Convention.²⁸ Therefore, according to the definitions given, the consensus and the active collaboration of migrants in the process of crossing the border would be decisive factors in differentiating between smuggling and trafficking.²⁹ Those elements which are absent or extorted (by coercion or deception) in the case of trafficking, are essential in the case of smuggling.³⁰ Yet, in the context of modern migration, it remains far from easy to draw a line between coercion, deception and conscious choice.

²³ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, **Adopted by the UN General Assembly**, New York, 15 November 2000, available on: https://www.unodc.org/documents/treaties/Special/2000_Protocol_to_Prevent_2C_Suppress_and_Punish_Trafficking_in_Persons.pdf (Accessed 5 December 2018).

²⁴ Protocol against the smuggling of migrants by land, sea and air, supplementing the United Nations Convention against Transnational Organized Crime, **Adopted by the UN General Assembly**, New York, 15 November 2000, https://www.unodc.org/documents/middleeastandnorthafrica/smugglingmigrants/SoM_ProtocolEnglish.pdf (Accessed 5 December 2018).

²⁵ Julia O'Connell Davidson and Bridget Anderson "Is trafficking in human beings demand driven? A multi-country pilot study" prepared for IOM, IOM migration research series no.15, 2003.

²⁶ Emiliana Baldoni, "Scenari ..." cit.

²⁷ Paolo Campana, "Exploitation in Human Trafficking and Smuggling", *EJCPR*, vol. 22, no.1, 2016, pp. 89–105.

²⁸ Anne Gallagher, "Human Rights and the New UN Protocols on Trafficking and Migrant Smuggling: A Preliminary Analysis", *Human Rights Quarterly*, vol. 23, 2001, pp. 975–1004; Francesca Nicodemi, "Le vittime della tratta di persone nel contesto della procedura di riconoscimento della protezione internazionale. Quali misure per un efficace coordinamento tra i sistemi di protezione e di assistenza", *Diritto, Immigrazione e Cittadinanza*, no. 1, 2017, pp. 1–29.

²⁹ Adam Graycar "Trafficking in human beings", paper presented at the International Conference on Migration, Culture & Crime, Israel, 7 July 1999; Australian Institute of Criminology, Canberra, 1999 in John Salt, "Trafficking and Human Smuggling: A European Perspective", *International Migration Special Issue*, vol.1, IOM, 2000, pp. 31–54.

³⁰ Maurizio Ambrosini, *Sociologia* ... cit.

In the case of smuggling, the crime organization acts as a sort of “travel agency” offering illegal border crossing service,³¹ whereas in trafficking, the exclusive purpose of the organization is the insertion of the victim into an illegal market and his/her exploitation. The theoretical clarity of this distinction disappears as soon as we look at the empirical reality. Contemporary migrations highlight how differentiating between smuggling and trafficking is not an easy task, so much that, the two phenomena could be better understood as a *continuum* of experiences, or, in other words as the extremes of a single activity.³² Indeed, in migratory experiences, regular and irregular factors often overlap, and a smuggling path could easily turn, during the journey or upon arrival, into a trafficking situation.³³ This could occur, for example, to the debt-bondage incurred by the migrant for realising his/her migration project.³⁴ It is even possible that persons illegally shown in a country for exploitation propose, are fully aware of it, have given their consent, and/or do not represent themselves as victims. This could occur, for example, if the socio-economic conditions of their home country are far lower than those of the destination.³⁵ Finally, despite the mainstream stereotype of human trafficking victims (passive, not-choosing to leave their homeland and without any own migration project), it is increasingly being understood that trafficking is strongly interconnected with migrants’ conscious choice to migrate in order to improve their own living conditions.³⁶ Subsequently, distinguishing between the different types of migration through the binomials victimization-agency and coercion-consent results is in most of the empirical cases, merely a theoretical exercise.

This is particularly evident in the case of trafficking for sexual exploitation. Recent structural changes have affected this phenomenon, making the distinction between voluntary and forced prostitution very difficult and, as Ambrosini and others observe (2005), invalidating the theory, which considers trafficking as a new form of slavery. As mentioned, in Italy today the trafficking of human beings centres on two main targets: the European one, for the most part played by Romanian women, and the African one, almost all Nigerian. Regarding the European target, the beginning of the new millennium has seen the birth of a new form of exploitation, alongside the typical “pure” one (which is characterized by a very strong control) and “mixed” one (where the victim is treated with less violence and normally has a marginal role in the organization

³¹ Emiliana Baldoni, “Scenari ... cit.

³² Maurizio Ambrosini, *Sociologia ... cit.*

³³ Emiliana Baldoni, “Scenari emergenti ... cit.

³⁴ Anne Gallagher, “Human Rights ... cit.

³⁵ John Salt, “Trafficking and Human Smuggling: A European Perspective”, *International Migration Special Issue*, vol.1 IOM, 2000, pp. 31-54; Maurizio Ambrosini, *Sociologia delle migrazioni*, Il Mulino, Bologna, 2011.

³⁶ Mirta Da Pra, *Manuale Operativo. Richiedenti/titolari di protezione internazionale e vittime di tratta*, Torino, Litografia Cirone, 2015; Maurizio Ambrosini, *Sociologia ... cit.*

of her own exploitation). This new form, called “mezzadria” or “hit and run”, is above all practiced in the sexual exploitation of Eastern countries (Romania and Post-Soviet States especially). This model is characterized by the presence on one hand, of criminal networks which take advantage of situations of economic and social vulnerability and organise everything necessary for carrying out the woman’s activity (such as their travel, their accommodation, their workplace, contact the clients etc). On the other hand, is a woman’s greater autonomy and self-determination (some have freedom to choose the work’s timing and method and to keep income).³⁷ The women involved, generally practice prostitution for two or three months, then return back home and move again, in a sort of “commuting exploitation”. The experience of these women highlights the presence of a temporary migratory project, repeated over time and on most occasions realized with regular entry modalities such as tourist visa. Another significant factor has been the recent entry into the European Union of Romania, the Czech Republic, and Poland. Women from these three countries appear fully aware of their destination in the sex market, and for them prostitution represents the quickest and the most accessible manner to achieve their economic and social-mobility goals.³⁸

Concerning the non-European target, it is mostly represented by sub-Saharan women, usually Nigerian. National and international organisations, both governmental and non-governmental agency (such as IOM, UNHCR,³⁹ GRETA, EASO,⁴⁰ the European Commission, the National Foreign Affairs Ministry, the National Equal Opportunities Ministry, Anti-Trafficking-National Platform PNA, Differenza Donna NGO, Befree NGO, Mondodonna NGO) report that over the last decade in Italy, in parallel to the increase in the number of asylum seekers, there has been an increase, among them, of real or potential human trafficking for sexual exploitation victims. Currently, Nigeria is the most represented nationality amongst women landed in Italy and of female guests in Reception Centres for Asylum Seekers. In the last five years the number of Nigerian Women arrived in Italy by sea increased by 400%: if in 2012 they were just 85 women, in 2016 they were more than 11.000, the 3/4 of whom have been identified as actual or potential victim of sexual trafficking.⁴¹ The last

³⁷ No-Tratta, Progetto co-finanziato dalla Commissione Europea – DG Affari Interni – Programma Prevenzione e lotta contro il crimine “*Manuale operativo nell’ambito dell’azione 3 del Progetto NO TRATTA, Benchmarking e modellizzazione degli interventi*, Torino, Litografia Cirone, 2015.

³⁸ *Idem*.

³⁹ The United Nations Refugee Agency.

⁴⁰ The European Asylum Support Office.

⁴¹ Report IOM “La tratta di esseri umani attraverso la rotta del mediterraneo centrale: dati, storie e informazioni raccolte dall’organizzazione internazionale per le migrazioni”, 2017, available on http://www.italy.iom.int/sites/default/files/newsdocuments/RAPPORTO_OIM_Vittime_di_tratta_0.pdf; and Report GRETA, “Report on Italy under Rule 7 of the Rules of

IOM report as well as the Italian Representative of the UN High Commissioner for Refugees, declared a change from 2012 in Africans traffic forms firstly, away from traditional entries, such as by air and with a tourist visa⁴² and instead towards flows by sea and desert. Secondly, there has been an increase of Asylum seekers who slip (during the journey or upon arrival) in trafficking for sexual exploitation.⁴³ Thirdly, a growth in trafficked victims within the asylum seeker reception centre has been observed. Finally, it is important to highlight both the presence of women not totally passive toward exploitation, and a victim's awareness (from the start or acquired during the journey) of the possibility of being trafficked. Awareness is meant as an acceptance of the risk to be exploited.⁴⁴ In both cases, however, the consent and/or awareness do not exclude trafficking, if a form of coercion occurs.⁴⁵ Indeed, the research conducted by Easo⁴⁶ on the Nigerian case highlights the presence, alongside the traditional forms of exploitation, of women aware of their destination in the transnational sex market. The research outcomes of Plambech, Skillbrei, Tveit, and Kastner,⁴⁷ evidences that Nigerian trafficked women may see trafficking for transnational sex as the only way to improve their lives and the lives of their families. However, these women, if aware of their destination as a prostitute, may not be fully aware of the actual amount of their debt with the criminal organisation, incurred in order to realize their journey, or about their working conditions as prostitutes.⁴⁸ This lack of awareness, on a theoretical level creates a defected agreement, and therefore is invalid on legal principles as there has been no true mutual agreement. However, on a practical level, invalidity is not always easy to detect and recognize. In fact, the presence of will and awareness puts these women in a difficult position, because, due to the particularity of their own experiences, they may not be recognized as human trafficking victims. This prevents these women from accessing the relevant related protection programs and rights, and in the worst case, they can be deported as

Procedure for evaluating implementation of the Council of Europe Convention on Action against Trafficking in Human Beings", GRETA 2016 available on: <https://rm.coe.int/16806edf35> (Accessed 5 December 2018).

⁴² Which means that migrants regularly entered in Italy, becoming irregular once their permission to stay expires.

⁴³ Rapporto Sprar: "Rapporto sulla protezione internazionale in Italia 2016", SPRAR 2016 available on http://www.ilsole24ore.com/pdf2010/Editrice/ILSOLE24ORE/ILSOLE24ORE/Online/OggettiEmbedded/Documenti/2016/11/16/Rapporto_protezione_internazionale_2016.pdf (Accessed 5 December 2018), No-Tratta, Progetto co-finanziato dalla ... cit.

⁴⁴ Emiliana Baldoni, "Scenari emergenti..." cit.; Mirta Da Pra, "**Manuale Operativo...**" cit.

⁴⁵ Francesca Nicodemi, "Le vittime ..." cit.

⁴⁶ EASO, "Informazioni sui paesi di origine-Nigeria: la tratta di donne a fini sessuali", EASO 2015.

⁴⁷ *Idem*.

⁴⁸ *Ibidem*.

economic migrants and not be allowed to remain in Italy.⁴⁹ Hence, the biographies of these women highlight that, the binomial exploitation/agency on which is based the distinction between forced and voluntary migrations and in particular between trafficking and smuggling is not always functional to give an account of the complexity of these migratory experiences, where agency, self-determination, and exploitation coexist. Indeed, these women, because of all the different push and pull factors (both individual and structural) of their migration choice, split out from the “smuggled/trafficked” pretentious classifications, thus showing their weaknesses. Furthermore, the already named Easo report⁵⁰ and the research of Osezua⁵¹ and Plambech⁵² on Nigerian trafficking underlines how trafficking in human beings for sexual exploitation may represent, for some trafficked women, a gender-based method of social mobility and female empowerment, typical of contemporary globalization processes. Indeed, for many poorly educated Nigerian women, trafficking for transnational sex represents an opportunity for *economic and social growth* (as well as for women in the Eastern European “mezzadria” model). It embodies, in another world, a gender-based method of survival.

The experiences of these women also show that the Additional Protocols of Palermo, and their application, are not as neutral as they would appear. Instead, they reproduce gender stereotypes (already visible in the title of the Trafficking Protocol: especially women and children) and create a hierarchy between migratory experiences. The confusion between trafficking and smuggling embodies a gender-based view of people’s agency and denies female’s self-determination. According to Rigo,⁵³ male migrants are more likely considered as the main protagonist of their own migration project, to accept all the related risk and to break the rules to fulfil their goals. Therefore, they are more easily labelled as irregular, namely smuggled, migrants. Conversely, women are frequently described as the passive subject, at the “mercy of the events”. Subsequently they are more likely to be portrayed as innocent and vulnerable victims of trafficking, often unaware of their own oppression and in seek of help. From a practical point of view, this gendered-hierarchy of legitimacy, as well as the typing of the ideal victim of trafficking (woman, innocent, pure, naïve, kidnapped against her will and helplessness), situates victims of human trafficking in a position of disadvantage. That is, if they

⁴⁹ Enrica Rigo, “Re-gendering the Border ...” cit.

⁵⁰ EASO, “Informazioni sui ...” cit.

⁵¹ Clementina Osezua, “Changing Status of Women and the Phenomenon Trafficking of Women for Transactional Sex in Nigeria: A Qualitative Analysis”, *Journal of International Women's Studies*, vol.14, no. 3, 2013, pp. 14-30.

⁵² Simon Plambech, “Between Victims ...” cit.

⁵³ Enrica Rigo, “Re-gendering the Border ...” cit.

cannot fit into this stereotyped category (as most commonly occurs), they may receive a less protective treatment or not receive it at all.

In summary, our image of exploitation and trafficking must be read in the light of the migrant's vast and complex web of needs, especially in the context of arrival where marginality and life's precariousness increase. Perhaps we must recognize that the dichotomy of voluntary/forced migration is purely neoliberal, Eurocentric and it completely ignores the migrant's scale of priorities. For this reason, it is necessary to analyse the phenomenon of trafficking for sexual exploitation through an interdisciplinary approach, always keeping in mind that female migration for transnational sex is the result of a complex system with varied levels of power: gender, sex, race, citizenship, environmental, cultural and economic factors.

Female Migrant Care Workers

More frequently called family assistants, the domestic care worker is the second key aspect of female migration to be discussed. For immigrant women, care work is an important chance of employment, with migrants arriving via both regular and irregular avenues.⁵⁴

Identified in the literature with the expression migrant care worker,⁵⁵ the phenomenon of the female migrant employed in long-term care has assumed a significant role, enough to identify the Italian model of care in the expression: "migrant in the family model."⁵⁶ It is difficult to provide exact numbers on foreign women employed in the care sector in Italy. Family assistance is not recognized as a professional category, and subsequently the estimates are extrapolated from the broader category of domestic workers, excluding family carers without employment contracts. The latest data⁵⁷ suggests that in Italy approximately 830.000 family assistants work, of which 90% are foreign women.

⁵⁴ Brigett J. Anderson, *Doing the Dirty Work. The Global Politics of Domestic Labour*, London, Zed Book, 2000; Maurizio Ambrosini, *Sociologia ...* cit.

⁵⁵ Costanzo Ranci, Emmanule Pavolini, *Le politiche di welfare*, Bologna, Il Mulino, 2015; Sergio Pasquinelli, "Le badanti in Italia: quante sono, chi sono, cosa fanno" in Sergio Pasquinelli and Giselda Rusmini (eds.), *Il lavoro di cura: attori, progetti, politiche*, Roma, Ediesse, 2013.

⁵⁶ Giuliana Costa, "L'Italia del patchwork: le politiche regionali per gli anziani", in Yuri Kazepov and Eduardo Barberis (eds.), *Il welfare frammentato, le articolazioni regionali delle politiche sociali italiane*, Roma, Carocci editore, 2013, pp. 113-134.

⁵⁷ This estimate is based on a procedure, refined over the years, which combines official sources and informal sources and consists of a calculation that uses INPS data for domestic workers, data on resident foreign citizens (ISTAT) and on those irregularly resident (ISMU), and the testimony collected by institutions such as: Caritas listening centers, trade unions, voluntary associations, social cooperatives, services dedicated to

The reality of foreign family assistants in Italy is strongly composite and multifaceted, in the to trace the profile it is possible to identify four dimensions on which it develops. These include the geographical origin; migratory projects; settlement and recruitment methods; and the type of work contract. Each of these distinctions draws groups of workers with different characteristics, expectations, propensity of career development. These distinctions help compose different biographies which ultimately help deconstruct reductive and hasty theories that describe the phenomenon as homogeneous.

Regarding the geographical origin, two different phases of the migratory care worker exist in Italy.⁵⁸ The first phase occurred from the 1970s to the 1990s, a period which had a strong impact on Italy, with women coming from Eritrea, Ecuador, Morocco, India, the Philippines and other South American nations. The second phase, which reached its maximum visibility at the end of the '90s and continues today, consists largely of women coming from Eastern European countries, particularly Ukraine, Romania and Moldova. Currently, migration trends are showing a reduction in South American migration in favour of a large increase in family assistants from Eastern Europe. Romanian women swell the ranks, representing approximately 43.8% of domestic workers in Italy according to estimates made by the INPS Observatory. One key characteristic of those who have come more recently is age. Today foreign family assistants are younger than in the past, having an average age of 37, in contrast with women who arrived before 2006, with an average age of 45-46 years.⁵⁹

In relation to the second dimension, namely the nature of migratory projects, it is possible to observe that the first flows were characterized by short-term and medium-term economic migration projects. Most of these women were driven by economic reasons, entering full-time domestic work with an undefined project. However, in the last decade this trend has been reversed. The intention to settle permanently in Italian society has grown, with attached family reunification. The current trend foresees that most of these subjects choose to reach Italy, knowing already what they are going to do. Indeed, often they have a community network of relatives and friends who play a role of gatekeepers not only in relation to the society of arrival, but often also at the professional level. The structuring of groups coming from the same

orientation and accompanying work insertion. NNA (Network Non Autosufficienza) (ed.), "L'assistenza agli anziani non autosufficienti in Italia", 5° Rapporto, Un futuro da ricostruire, Rapporto promosso dall'IRCCS-INRCA per il network nazionale per l'invecchiamento, Maggioli Editore, Santarcangelo di Romagna, 2015, p. 42.

⁵⁸ Mara Tognetti Bordogna, "Le badanti e la rete delle risorse di cura", *Autonomie locali e servizi sociali*, no. 1, 2010, pp. 61-77.

⁵⁹ Sergio Pasquinelli, "Le badanti in Italia: quante sono, chi sono, cosa fanno" in Sergio Pasquinelli and Giselda Rusmini (eds.), *Il lavoro di cura: attori, progetti, politiche*, Roma, Ediesse, 2013, pp. 41-56.

contexts tends to favour the arrival of compatriots aware of their possibilities. Thus, it is possible to maintain that the degree of premeditation of home care work in the country of arrival is also part of the migration project. The leitmotiv that distinguishes the migratory projects, of the first and recent flows, is the label of women breadwinners, for which migrant women assume responsibility for providing economic resources. This can occur by women sending assets and money to their families in their country of origin, or by supporting their families reunited in the country of arrival.

Regarding the third dimension, methods of settlement and employment, it is possible to distinguish two trends: that of the cohabitation and hourly employee. The cohabitation provides the commitment to care for people at the residence of the patient, created specifically for continuous daily assistance, even at night and possibly on holidays. This method has been widely employed by women belonging to the first migratory flows, who often arrived in Italy alone and without a network of compatriots or relatives ready to host them. Currently, this method of employment is preferred by immigrant women in irregular conditions. This choice comes from employer families, especially those with modest revenues who could not afford to resort family assistants regular contract.⁶⁰ On the other hand, this mode is used by newly arrived foreign women themselves, this option solves their housing problem, whilst also allowing them to save relatively large sums of money to be sent back home. Additionally, by perpetuating a condition of isolation, they make themselves almost invisible towards possible controls.

The second method, hourly employee, is more prized by migrant women who enjoy a dense community network from which they have the possibility of being welcomed and introduced into the target society. This modality allows for personal autonomy, to organize one's own house, keeping firm the necessity to possess a certain ability to move in the receiving society. It also allows for opportunities to interact with different local actors, to manage work agreements, times and displacements.⁶¹ Furthermore, hourly work is a simpler contractual exchange, and allows migrant women to disengage from employers. From a remunerative point of view, hourly work is considered more advantageous as an efficient hourly work plan generates a monthly net salary equal to or even higher than a stable, single-client job.⁶² As Ambrosini explains, for immigrant women who have worked in cohabitation, hourly work represents a sort of "horizontal promotion", a sort of bursting forth both under the professional side and that of private life.⁶³

⁶⁰ Maurizio Ambrosini, *Sociologia ...* cit.

⁶¹ *Idem*.

⁶² Sergio Pasquinelli, "Le badanti in Italia ..." cit.

⁶³ Maurizio Ambrosini, *Sociologia ...* cit.

In conclusion, the last dimension of the type of work contract shows how the private assistance market is imbued with a double irregularity. The first is fomented by a high rate of undeclared work and so-called grey work that covers the whole category. It fosters mutual benefits for both family assistants and families. However, it is recalled that these conditions provide a series of disadvantages for both parties to this employment relationship. This includes exposure to different forms of exploitation, and a lack of recognition of rights and duties provided for by a regular contract.

The second point concerns family assistants who live a condition of contractual irregularity resulting from an irregularity of status – as illegal women or having an expired visa. For this type of foreign family assistants this choice can result in a double segregation, for which they are out of both the community to which they belong and that of arrival. They have no possibility of job integration or to access training courses or services that attempt to regulate this sector. In other cases, this double state of irregularity may derive from a short-term transitory migration project, whereby the irregularity of work is not very important, since the fundamental objectives are the accumulation of resources and the return to the country of origin. To fully understand the peculiarities of the female migratory phenomenon within the private market of care in Italy, in addition to analysing the elements that compose it, it is necessary to analyse the characteristics of Italian welfare and the idea of common sense on the local geriatric culture.

There are several factors that have allowed migrant women to enter this scenario. First of all, the aging of the population and the related problems of care related to a higher life expectancy and consequently to a greater exposure to diseases have never been placed at the center of significant revisions of the welfare system. Italy, characterized by a social status based on the family, has always relegated care to a problem to be solved within the home. While this peculiarity has strengthened the belief that the care activity is a strictly family cultural obligation, on the other hand it has contributed to mitigating the functional pressures on social policies, which continued to pursue policies based on money transfers rather than care services. Adding to this scenario were the gradual transformations that have affected the structure and the family models by definitively ending the redistributive function of the family.⁶⁴ Against this background, the private care market was gradually integrated and consolidated, fed by a continuous increase in demand, to which migrants responded with a strong majority.

⁶⁴ Yuri Kazepov and Eduardo Barberis, *Il welfare frammentato...* cit.

In turn, the presence of family assistants helps to produce but also to transform Italian welfare.⁶⁵ On the one hand, it has produced some specific effects on the system of services for the elderly, such as the reduction of public-sector assistance services, reduction of admissions in the RSA (Italian healthcare residence), the abatement of waiting lists in the same institution, and an increase in the tendency to community care. On the other hand, faced with the growth of family assistants, the public actor tried to intervene in the private care market, trying to support the assistance offer through actions aimed at facilitating the regularization and qualification of this professional role. To this end, four types of services have been implemented through the action of the welfare regions: financial support, family assistants' registers, training courses and offices for the supply and demand meeting.

Aside from leaving the deepening of the services,⁶⁶ it is possible to observe how future guidelines regulate the assistance of the family. In particular, the qualification is proposed as a tool for mediation between foreign family assistants and users. It is important to remember how for a long time the cultural exchange represented a fixed point, especially in literature, of a deficit with respect to the work of care. As yet, it's possible to advance the hypothesis of how migrant women are more active in shortening such distance, taking an interest and participating in a wider system of services. It seems evident that the shortcomings of a precarious welfare state have created the possibility for foreign women to advance as major protagonists and respond to this social-welfare gap, and how these have redesigned the boundaries of a new welfare. Observing the continuous dialectic on both sides it is possible to see a process change that highlights the strengths and weakness of this scenario and those that represent the levers for the future. On the one hand, there is welfare with its old legacies of monetary investments, as the accompanying allowance that continues despite all the shortcomings and often the first source of payment for irregular family assistants emerges (as a consequence of inadequate or invalid tax controls). Simultaneously, it is important to highlight how in recent years, through regularization and qualification services, it is trying to fit into a new model of care, based on the principle of networking between all the actors involved. On the other hand, there are the migrant family assistants who outlined the outlines of this profession, unconscious with their biographies of having validated a subrogation model, de-professionalized, defined as

⁶⁵ Mara Tognetti Bordogna, *Donne e percorsi migratori. Per una sociologia delle migrazioni*, Milano, FrancoAngeli, 2012.

⁶⁶ For more information Anastasia Guarna, *Politiche regionali a sostegno del mercato privato di cura*, I luoghi della cura rivista online - Network Non Autosufficienza (NNA), n°2/2018, <https://www.luoghicura.it/archivio-rivista/> (Accessed 5 December 2018).

"proletariat of services."⁶⁷ It is evident that in the last decade both parts have been invested by an awakening of the senses and have become more aware of the complexity of this working environment and are trying to build new rules within the field of care.

Conclusions

The article analysed migration flows, through the lens of the female migration to Italy. The purpose was to highlight the weaknesses and the contradictions, which govern the academic researches and the legal regulations. Through the investigation of the two main Italian entering-channels of female migrants - a specific aspect of the sex industry, the trafficking for sexual exploitation, and the private care market – this paper has revealed and explored the main stereotypes concerning migration flows. Moreover, the authors tried to give them a name. First and foremost, this article supports the assertion that “female migrants are not just followers”. As the Italian case shows, they represent, as well as men, “first migrants and breadwinners” and, in the case of the private market, the subject who makes the migration of the entire family. Often, they are women who leave alone, take roles and responsibilities, and adopt complex strategies of transnational family management. In the case of the private market, it is the migrant woman who makes possible the migration of the entire family.^[1]

Secondly, we discussed, the “immutability of categories”. Italian contemporary migration phenomena show that, the definitions still used by the “sociology of immigration” and the “legal language” (such as forced and voluntary migrations, smuggling and trafficking, regularity and irregularity) are not natural and fixed, but rather could be totally overturned by new legislative interventions.

Third we analysed, the “neutrality of categories”. Migration law, its interpretation, and application are not neutral as they appear to be, but rather build a hierarchy between the migration experiences, based on gender and racial prejudices and stereotypes. National and international law almost never name females. When, and if, women appear, they are mentioned as an exception, an exception that should be ruled. The authors show, for example, through the analysis of the contemporary human trafficking phenomena, that the definitions of smuggling of migrants and trafficking of human beings embody a gender-based view of people’s agency, which denies female’s self-determination and could diminish human rights protections.

⁶⁷ Mara Tognetti Bordogna, *Donne e percorsi migratori. Per una sociologia delle migrazioni*, Milano, FrancoAngeli, 2012.

Similarly, the biographies of trafficked women ask us to change our approach to this issue. For some of those women, trafficking can represent a gender-based method of social and economic mobility, an instrument of self-empowerment, and, not rarely, the quickest and the only available method to fulfil their migration project and bear themselves and their family.

Furthermore, we could ask “who’s the victim and who’s the criminal?” The mainstream view of the human trafficking victim (naïve, kidnapped against her will, without self-determination, unaware), as well as its normative definitions, is highly stereotyped and unlikely corresponds to real women’s experiences (where exploitation and deceit are often mixed together with personal choice, awareness, and consent). This, not only challenges definitions, but rather, it could for some of those women lessen, or even remove, any form of protection.

The analysis of these two types of female migration flows makes it clear that migration issues cannot be studied through a “single analysis approach”. The macro and the micro dynamics constantly overlap in both trafficking and private market experiences. Not only that, some scholars have highlighted the existence of an additional approach to consider in migration issues: networks. This dimension makes it possible to enter deeply into the migratory world of women and addresses the issue of migration according to a meso perspective. That is, that the migratory experience does not develop in a social vacuum, but rather within a dense network of relationships.⁶⁸ In the Italian case, this dimension is particularly evident in the case of cohabitation in the care market. As this paper explains, the percentage of foreign women who implement this type of settlement and employing method today is very low. Instead, most of the migrant women employed in the private care market today, already know a lot about how their Italian life is going to be prior to moving. Indeed, when new female migrants arrive in Italy, they are generally welcomed by a community of the same country of origin, who provide them first accommodation and business networks. Subsequently new migrants often move to Italy directly with their children or their migration is quickly followed with a claim for family reunification. These conditions were not foreseen in the previous cohabitation migration project.

The experience of foreign family assistants in Italy unmasks a further stereotype, i.e. for migrant women who do this profession “it is not a passive downward adaptation”. Several studies describe foreign family assistants as passive subjects, who perform the functions of care without any professional experience/training and without activating any kind of cultural exchange with the assisted, but as the only professional possibility. As current studies

⁶⁸ Mara Tognetti Bordogna, *Donne ... cit.*

highlight,⁶⁹ the cultural exchange does exist, and it constantly develops itself in a mutual adaptation between the assistant and the assisted. Moreover, migrant women are aware of the complexity of care work and that, it cannot be considered merely as an “innate feminine knowledge”. Those workers recognize the importance of professional training and refresher courses. Indeed, over the past decade, the number of women interested in participating in training courses has grown. This is not only because it is often a necessary pre-condition to commencing regular employment, but also because it is considered essential, especially in the case of long-term migration projects where it is the only possibility for career advancement. Therefore, it is possible to speak of a double agency, the new flows of migrant women are the protagonists of their migratory project and at the same time they have a greater capacity to act with professional self-determination.

In conclusion, Italy as a case study of female migrations requires academics, politicians, legal experts, and each of us, to reconsider both theoretical-models and our own preconceptions on migrants and migrations flows. Although the theory of feminization has been inserted into academic discourse and public debate, this article has highlighted how the theoretical and the empirical plan are still partially untied and how feminization, as a key to reading immigration issues, still finds evident difficulties to be translated into a practical and applicative level. Furthermore, to date, there are still few researches, that report women as “heads of families”, “first migrants” and “family-head”. Thinking of women as breadwinners means not only overturning theories and models on migration, but also challenging national and international norms and, even more, their interpretations and applications. To neglect the problems linked to female migrations means, on the one hand, to not understand the migratory phenomenon overall, and on the other, it creates a triple invisibility – as a woman, as a migrant and a hidden subject of both public and legislative discourses. Moreover, as the Italian case shows, we cannot any longer consider female migration as the result of specific and univocal push and pull factors, but rather as a process of interdependent factors, constantly changing and developing. In other words, the study of female migration requires the consideration of individual, contextual (or structural) and network variables; the way each interacts with each other, and their continuous changes. Migrations are processes endowed with an evolutionary dynamic,⁷⁰ in constant relation with the complex systems of relationships they are composed of. Therefore, migration problems require a multidimensional study approach, which considers all the different areas related with the migration issue, none excluded.

⁶⁹ Paola Torrioni (ed.), *Sportelli e Servizi per l'assistenza familiare*, Torino, Celid, 2015.

⁷⁰ Maurizio Ambrosini, *Sociologia ... cit.*